

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 16, 2003

DIVISION TWO

B158015 Choice One Finance Corporation (Not for Publication)

V.

Fidelity Federal Bank

The judgment is affirmed. Fidelity shall recover its costs on appeal.

Ashmann-Gerst, J.

We concur: Nott, Acting P.J.

Doi Todd, J.

B157495 People (Not for Publication)

V.

Juarez

The order sentencing appellant to the four-year middle term of imprisonment is reversed, and the cause is remanded for resentencing. At resentencing, the trial court shall order the People to fulfill their promise to appellant to appear and assert that the offense warranted the lower, 32-month term of imprisonment. Also, upon resentencing, the trial court shall impose a \$50 laboratory fee pursuant to Health and Safety Code section 11372.5, subdivision (a), as well as the corresponding \$50 state and \$35 county penalty assessments pursuant to Penal Code section 1464 and Government Code section 76000. In all other respects, the judgment is affirmed. After resentencing appellant, the trial court is to prepare an amended abstract of judgment stating, inter alia, the imposition of the fee and penalty assessments and to send it to the California Department of Corrections.

Boren, P.J.

We concur: Doi Todd, J.

Ashmann-Gerst, J.

May 16, 2003 (Continued)

DIVISION TWO (Continued)

B153552 Levoy (Not for Publication)

V.

The Sharp Precision Profit Sharing Plan, et al.

The order of the trial court is affirmed. Respondents are entitled to costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B158808 People (Not for Publication)

V.

Ziporia J.

The Court:

The judgment is affirmed.

Nott, Acting P.J., Doi Todd, J., Ashmann-Gerst, J.

B159606 People (Not for Publication)

V.

Duerson

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B160908 People (Not for Publication)

V.

Laronnie J. Hickman

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B159974 M.G. (Not for Publication)

V.

R.D.

The judgment is affirmed. As the prevailing party, plaintiff shall recover attorney fees pursuant to section 527.6, subdivision (i), as well as costs on appeal.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B159928 Los Angeles County, D.C.S. (Not for Publication)

V.

Richard K.

The orders appealed from are affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

Court convened at 9:00 A.M.

Present: Vogel (C.S.), P.J., Epstein, J., Curry, J. and S. Veverka, Deputy Clerk.

Each of the following:

B159162 DCFS v. Ana Rosa H.

B158541 Agbalaya v. James Brown Enterprises, Inc.

B151519 County of Los Angeles v. Legion Insurance Company

Argument waived, cause submitted.

B149969 People
 v.
 Rodriguez and Ramos

Merits:

Argued by Edward J. Haggerty for appellant Ramos and by Nora Genelin for respondent. Appellant Rodriguez waived oral argument. Cause submitted.

B159745 Los Angeles County, D.C.S.
 v.
 Zora T.

Merits:

Argued by Steven D. Schatz for appellant and by Jerry M. Custis for respondent. Cause submitted.

B158610 Anheuser Busch, Inc.
 v.
 Empire Indemnity Insurance Company

Merits:

Argued by Philip H. Thompson for appellant and by Robert I. Westerfield for respondent. Cause submitted.

DIVISION FOUR (Continued)

B159212 Lopez
 v.
 Willow Tree Homes & Commercial, Inc.

Merits:
Argued by Michael C. Maddux for appellant and by Allen P. Sragow for respondent. Cause submitted.

B157444 People
 v.
 Sokolich

Filed order denying petition for rehearing.

DIVISION FIVE

B156171 Stephen M. Gaggero (Not for Publication)
 v.
 Anna Marie Yura

The judgment is reversed. Plaintiff shall recover his costs on appeal.

Mosk, J.

We concur: Grignon, Acting P.J.
 Armstrong, J.

DIVISION SEVEN

B155179 People (Not for Publication)
 v.
 Vaquera

The judgment is affirmed.

Perluss, P.J.

I concur: Woods, J.
I dissent: Johnson, J. (Opinion)

DIVISION EIGHT

B158212 Los Angeles County, D.C.S. (Not for Publication)
v.
Connie A.

The order is affirmed in part and reversed in part. The case is remanded to the juvenile court to consider the issue of Connie's de facto parental status.

Cooper, P.J.

We concur: Rubin, J.
Boland, J.

B154862 Wolff (Not for Publication)
v.
Holmes

The judgment is affirmed in part, reversed in part and remanded to the trial court for a new trial confined to the issue of damages. Each party is to bear her costs on appeal.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B159825 People (Not for Publication)
v.
Melero

The judgment is modified by awarding appellant a total of 357 days of presentence credit, rather than 347 days. As modified, the judgment is affirmed.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

May 16, 2003 (Continued)

DIVISION EIGHT (Continued)

B156415 Smith, et al. (Not for Publication)

V.

California Institute Of Technology, dba Jet Propulsion Laboratory

The judgment is affirmed. Costs of appeal are awarded to respondent.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.